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TO: Commissioner for Patents

FAX NO.: 703-872-9306

FROM: Keith Taboada, Esq.

DATE: October 12, 2004

MATTER: Serial No. 10/055,310 Filed: January 22, 2002

DOCKET NO.: 4150D1/ETCH/DRIE/JB1

APPLICANT: Noorbakhsh, et al.

The following has been received in the U.S. Patent and Trademark Office on the date of this facsimile:

<input type="checkbox"/> Petition	<input type="checkbox"/> Transmittal Letter (2 copies)
<input type="checkbox"/> Disclosure Statement & PTO-1449	<input checked="" type="checkbox"/> Fee Transmittal (2 copies)
<input type="checkbox"/> Priority Document	<input checked="" type="checkbox"/> Deposit Account Transaction
<input type="checkbox"/> Drawings (____ sheets) informal	<input checked="" type="checkbox"/> Facsimile Transmission Certificate
<input type="checkbox"/> Amendment	dated <u>October 9, 2004</u>
<input checked="" type="checkbox"/> Response to Office Action (44 pages)	

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Allyson M. DeVesty
Name of person signing this certificate

Allyson M. DeVesty 10-12-04
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308353

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PTO/SB/17 (10-04v2)

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**FEE TRANSMITTAL
for FY 2005**

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 430**Complete if Known**

Application Number	10/055,310
Filing Date	January 22, 2002
First Named Inventor	Noorbakhsh, et al.
Examiner Name	Luz L. Alejandro Mulero
Art Unit	1763
Attorney Docket No.	4150D1/ETCH/DRIE/JB1

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit
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☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
		1001	790	Utility filing fee	
		1002	360	Design filing fee	
		1003	650	Plant filing fee	
		1004	780	Reissue filing fee	
		1005	180	Provisional filing fee	
SUBTOTAL (1)					(\$) 0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
20	= 0	X	= 0
Independent Claims	= 0	X	= 0
Multiple Dependent	X		= 0

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
		1202	18	Claims in excess of 20	
		1201	88	Independent claims in excess of 3	
		1203	300	Multiple dependent claim, if not paid	
		1204	88	** Reissue independent claims over original patent	
		1205	18	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$) 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
		1051	130	Surcharge - late filing fee or oath	
		1052	60	Surcharge - late provisional filing fee or cover sheet	
		1053	130	Non-English specification	
		1812	2,520	For filing a request for ex parte reexamination	
		1804	920*	Requesting publication of SIR prior to Examiner action	
		1805	1,840*	Requesting publication of SIR after Examiner action	
		1251	110	Extension for reply within first month	
		1252	430	Extension for reply within second month	430
		1253	980	Extension for reply within third month	
		1254	1,530	Extension for reply within fourth month	
		1255	2,080	Extension for reply within fifth month	
		1401	340	Notice of Appeal	
		1402	340	Filing a brief in support of an appeal	
		1403	300	Request for oral hearing	
		1451	1,510	Petition to institute a public use proceeding	
		1452	110	Petition to revive - unavoidable	
		1453	1,370	Petition to revive - unintentional	
		1501	1,370	Utility issue fee (or release)	
		1502	490	Design issue fee	
		1503	580	Plant issue fee	
		1460	130	Petitions to the Commissioner	
		1807	50	Processing fee under 37 CFR 1.17 (q)	
		1806	180	Submission of Information Disclosure Stmt	
		8021	40	Recording each patent assignment per property (times number of properties)	
		1809	790	Filing a submission after final rejection (37 CFR § 1.129(a))	
		1810	790	For each additional invention to be examined (37 CFR § 1.129(b))	
		1801	790	Request for Continued Examination (RCE)	
		1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 430**SUBMITTED BY****Complete if applicable**

Name (Print/Type)	Kelth Taboada, Esq.	Registration No. (Attorney/Agent)	45,150	Telephone	(732) 530-8404
Signature		Date	October 12, 2004		

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RESPONSE TO OFFICE ACTION
Serial No. 10/055,310
Page 1 of 44

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

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OCT 12 2004

PATENT APPLICATION

Applicant: Noorbakhsh, et al.

Case: 4150D1/ETCH/DRIE/JB1

Serial No.: 10/055,310

Filed: January 22, 2002

Examiner: Alejandro Mulero, Luz L.

Group Art Unit: 1763

Confirmation No.: 9294

Title: TEMPERATURE CONTROLLED SEMICONDUCTOR PROCESSING
CHAMBER LINER

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R:

RESPONSE TO OFFICE ACTION DATED MAY 10, 2004

Although the Applicants have filed a Notice of Appeal, the Applicants have elected to respond to the Non-Final Office Action dated May 10, 2004, having a shortened statutory period for response set to expire on August 10, 2004, in lieu of filing an Appeal Brief. The Applicants request entry of this response and reconsideration of the claims pending in the application for reasons discussed below. As the Patent Office was closed October 10-11, 2004, the Applicants believe solely a two-month extension of time is due. The Commissioner is hereby authorized to charge counsel's Deposit Account No. 20-0782 the fee of \$430.00 for a two-month extension of time fee due in connection with this response. The Applicants additionally authorize the Commissioner to charge counsel's Deposit Account for any fees, including extension of time fees or excess claim fees, required to make this response timely and acceptable to the Office.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper. **Remarks/Arguments** begin on page 9 of this paper.

308368

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